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Remarks

We are in receipt of the Office Action dated November 3, 2005 and the above Amendment and following remarks are made in light thereof.

Claims 1-13 are pending in the application. Pursuant to the Office Action, an election of species is required between the species of Fig. 1-8 (Species A) and the species of Figs. 9-11 (Species B). Applicant affirms the provisional election made during a telephone conversation between the Examiner and the undersigned to prosecute the invention of Species A. It is respectfully submitted that claim 14 is generic to both species.

Turning to the substance of the Office Action, claims 6-7 and 9-13 stand rejected under 35 USC 112, second paragraph, for indefiniteness. Claim 1 stands rejected under 35 USC 102(b) as being anticipated by Szinte U.S. 5,833,428. Claims 1, 2, 4 and 8 stand rejected under 35 USC 102(b) as being anticipated by Antal U.S. 4,722,651. Claims 2, 4 and 6-8 stand rejected under 35 USC 103(a) as being unpatentable over Szinte in view of Antal. Claims 3, 5 and 9-13 stand rejected under 35 USC 103(a) as being unpatentable over Szinte in view of Antal, and further in view of Ahrens U.S. 5, 398,983, Christenson U.S. 5,769,592, or Schreiber et al. U.S. 6,821,074.

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In response, claims 1-13 have been canceled and new claims 14-22 added. In view the cancellation of claims 1-13, the rejection of claims 6-7 and 9-13 under 35 USC 112 is rendered moot.


In addition, applicant submits that the new claims distinguish over the prior art relied upon by the Examiner and making the rejections under 35 USC 102 and 103. Specifically, claims 14 and 22, the two independent claims, describe a grasper or a lifter that has first and second gripper arms in which the first arm defines an arm-receiving region between the portions thereof for receiving the second arm when in the second position (claim 14) or, more specifically, the first gripper arm includes first and second gripper arm members that are spaced-apart and between which the second gripper arm is located when the gripper arm members are in their second position for storage (claim 22). Neither the Szinte nor Antal patents disclose or suggest such a configuration.

Accordingly, Applicant respectfully submits that the claims pending in the application distinguish over the prior art and

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are, thus, allowable. Accordingly, an early Office Action in this regard is earnestly solicited.

Respectfully submitted,



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